

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH  
AT JAIPUR.

**ORDER**

S.L. Trehan Vs. State & Ors.

SB CRIMINAL MISC. PETITION NO.242/2001  
UNDER SECTION 482 CR.P.C.

Date of Order 27.10.2006.

**PRESENT**

**HON'BLE MR.JUSTICE HARBANS LAL**

Mr. M.M. Mehrishi for the petitioner.  
Mr. Arun Sharma PP for the State.  
Mr. D.V. Tholia for the respondents.

**BY THE COURT:-**

When this matter came up for perusal of the report with regard to the service of non-petitioner Nos.2 to 5, Mr. D.V. Tholia, appeared on behalf of these non-petitioners and submitted a copy of the order dated 29.1.2005 vide which Criminal Revision No.86/2003 was allowed and the impugned order dated 19.4.2003 taking cognizance on the FR No.20/2001 PS Sanganer was set aside.

Learned counsel for the petitioner has, however, contended that the strictures passed in the impugned order dated 20.2.2001 in para 4 at page 3 of the impugned order may be expunged as they have been recorded without affording an opportunity of hearing to the petitioner.

Learned counsel for the non-petitioners Nos. 2 to 5 has submitted that this petition under Section 482 Cr.P.C., which challenges the order dated 20.2.2001 granting anticipatory bail under

Section 438 Cr.P.C. to non-petitioners Nos. 20 to 5 has become infructuous and deserves to be dismissed.

I have considered the aforesaid contentions made at the bar and have also perused the so called strictures recorded in the impugned order dated 20.2.2001. In my well considered view, the observations made in the impugned order do not tantamount to any unjustified or baseless strictures. They are the observations of the court which are based on the facts on record and to record such observations the courts are well within its powers while passing any order.

In this view of the matter, therefore, this petition has become infructuous in view of the order dated 29.1.2005 and there is no cogent and valid ground to expunge the so called strictures/ adverse remarks recorded in the impugned order.

Consequently, this petition under Section 482 Cr.P.C. deserves to be and is hereby dismissed as having become infructuous and the prayer for expunging the so called strictures recorded in the impugned order is declined.

**(HARBANS LAL)J.**